



August 14, 2013

VIA E-MAIL

Carlton Purvis
MuckRock news
DEPT MR 6455
PO Box 55819
Boston, MA 02205-5819

Dear Mr. Purvis:

Thank you for writing to the City of Prospect Heights with your request for information pursuant to the Illinois Freedom of Information Act, 5 ILCS 140/1 et seq.

On August 8, 2013, you requested records of the following: full copy of all final and written contracts between Prospect Heights and Xtivity Solutions, LLC for all surveillance system (approved at the July 22, 2013 Council Meeting). Furthermore, your request is being tendered to you via e-mail.

The City provided a copy of the approved Xtivity contract to you which was sent to you via e-mail on August 8, 2013. On August 9, 2013, you responded via e-mail requesting a signed, final copy of the contract along with an equipment list and work order. Attached to this document, please find attached the signature page of the approved contract. The City has partially granted your request and is tendering to you the documentation in response to your attached request.

The City is also partially denying your request because information contained in the responsive documents relating to the work order/equipment list is exempt for the following reason:

- The documents contain commercial and trade secrets which have been furnished under a claim that they are proprietary, privileged, and confidential, and that disclosure of the commercial and trade secrets would cause competitive harm to the business (5 ILCS 140/7(g)).

Other than the documents tendered or the information specifically denied by this letter, the City does not possess any other documentation related to your request.

The undersigned is responsible for this partial denial. You have a right to have the denial of your request reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General. 5 ILCS 140/9.5(a). You can file your Request for Review with the PAC by writing to:

Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396
E-mail: publicaccess@atg.state.il.us

You also have the right to seek judicial review of your denial by filing a lawsuit in the State circuit court. 5 ILCS 140/11.

If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days of the date of this denial letter. 5 ILCS 140/9.5(a). Please note that you must include a copy of your original FOIA request and this denial letter when filing a Request for Review with the PAC.

Sincerely,

Robert Sabo
Freedom of Information Officer

Karen Schultheis

From: 6455-32060983@requests.muckrock.com
Sent: Friday, August 09, 2013 8:46 AM
To: Karen Schultheis
Subject: Follow up to Freedom of Information Request: Surveillance System Contract between Prospect Heights and Xtivity Solutions

August 9, 2013
City of Prospect Heights
City Hall
8 N. Elmhurst Road
Prospect Heights, IL 60070

This is a follow up to a previous request:

Thank you Karen,

But is there a signed, final copy of the contract available? Also, is there not an equipment list and work order to go along with it?

Sincerely,

Carlton Purvis

On Aug. 8, 2013:

Dear Mr. Purvis:

Attached is the response to your FOIA request.

Regards,
Karen

Karen Schultheis
Deputy Clerk – City of Prospect Heights
Phone – (847) 398-6070 (Ext. 251)

On Aug. 7, 2013:

To Whom It May Concern:

Pursuant to the Illinois Freedom of Information Act (5 ILCS 140/1 to 11), I hereby request the following records:



PAYMENT TERMS

40% of the amount would be payable at the day of the Purchase Order

60% of the amount would be payable 10 days after completion and acceptance of the working network.

Finance charges will apply on outstanding payments (1½% monthly) unless otherwise previously arranged. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders directly executed by the school, and will become an extra charge over and above the quotation. All agreements contingent upon field site survey, strikes, accidents or delays beyond our control.

I agree with the above terms and conditions;

City of Prospect Heights

7. 28.13
Date

ANNE MARIN, CITY ADMINISTRATOR
Name and Title
[Signature]
Signature

By the contractor:

I agree with the above terms and conditions;

Xtivity Solutions LLC.

Dimitrios Lalos, Managing Partner

Date: August, 14, 2013

Signature: [Signature]